

1 **Work Session**
2 **Minutes**
3 **April 10, 2006**
4

5 *A Regular Meeting of the Mayor and Council of the Borough of Leonia, Bergen County,*
6 *New Jersey, was held this evening in the Borough Hall Annex, commencing at 7:30pm*
7

8 **Council Present:** Mayor Laurence Cherchi, Councilperson
9

10 **Council Absent:** none
11

12 **Also Present:** Fran Lehmann, Borough Clerk, Brian Giblin, Borough Attorney,
13 Victoria Miragliotta, Borough Administrator
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15 Mayor Laurence Cherchi called the meeting to order.
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17 Mayor Laurence Cherchi asked everyone to stand while Councilman President Puzzo led
18 in the Pledge of Allegiance.
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20 **OPEN MEETING STATEMENT**
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22 Conditions of the Open Meeting Act have been met by Notice placed on the Bulletin
23 Board at Borough Hall and notices sent to the Official Newspaper.
24

25 Mayor Cherchi pointed out the Fire Exit.
26

27 **PRESENTATIONS**
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29 **Senior Housing** – Mr. Harold Ritvo, Attorney for Leonia Senior Housing gave a short
30 history on the Senior Housing of Leonia. Mr. Ritvo made a presentation to the Governing
31 Body and those assembled in reference to plans to add onto the current complex. Mr.
32 Ritvo also explained the reason they are coming before the Council. Barry Poskanzer,
33 Architect with Poskanzer, Skott, explained how the new complex would be tied into the
34 existing building. Mr. Ritvo explained that the Planner was going to explain the
35 Ordinance the Housing was hoping the Council would approve. Caroline Rider, Planner
36 with Christopher P. Statile, explained the ordinance that was distributed prior to the
37 meeting for the review by the Governing Body. Ms. Rider also explained how the
38 expansion fits into the current Master Plan. Mr. Giblin explained the options for the
39 Council regarding the options available for the introduction of the Ordinance. The
40 Council discussed the proposal and the options. Council President Puzzo asked for
41 consensuses of Council on how they wished to proceed. The Council was in agreement
42 with moving forward with the Ordinance.
43

44 **Public Hearing on Green Acres Grant** – Borough Engineer Ann Brown made a
45 presentation regarding the application for the funding from Green Acres for the
46 refurbishing of Wood Park. Ms. Brown answered the questions of the Council. Mrs.

Hilary Kelbik, Chairperson for Leonia Recreation Commission thanked the Council for considering the request of the Recreation Commission for the refurbishment of Wood Park Superintendent of Recreation, Barbara Davidson explained some of the areas the Commission could reduce some of the items on the application. No one from the public spoke on the Green Acres Grant. No one from the public had any comments. After a discussion by Governing Body of where cuts could be made, the Council agreed to \$780,000

PUBLIC COMMENTS

No one spoke.

UNFINISHED BUSINESS

a. **Solutions to Radio/Communications Systems-** Councilwoman Heveran asked where things stood with the agreement on the equipment and what is happening with replacing the system? The Borough Administrator explained she met with the Borough Attorney regarding the Contract and with Chief Dunn regarding an independent person to review and make recommendations regarding the needs of the Borough. The Borough Attorney reviewed the agreement and reported that they are responsible for restoring the equipment. The Borough Attorney also stated that the equipment, according to the contract, if it is not repairable would be replaced at no charge. Chief Dunn stated the current system is obsolete and needs to be upgraded. The Police desk needs to be restored. There also needs to be a back-up system.

b. **Station Parkway** – Borough Administrator – The Borough Administrator explained the need for the change order. After a discussion by the Governing Body they agreed to have a resolution prepared for the next meeting to pay the balance on Station Parkway.

c. **Budget Notice of Added Revenue** – The Borough Administrator reviewed the budget notice prepared by the CFO (see attached). After a discussion by the Council they agreed to go with option number one.

d. **Update on Sculpture in Leonia Project & Request** – Councilwoman Mitrani reported that she has put a list of members for the committee on each desk along with the mission statement of the committee. She also reported that the group is hoping to join up with the Leonia Arts Committee. Councilwoman Mitrani reported there are businesses in town that have expressed an interest in having the sculptures on their property. Councilwoman Mitrani would like to have the approval of the Governing Body to continue with the project. All the members of the Council were in agreement that she should move forward with the project.

- e. **Report Back from Leonia Arts** – Councilman Ryan reported that they are still working on obtaining a “day quote” for insurance. (carried to the first meeting in May)
- f. **Spring Street** – Council President Puzzo - Would like an alternate plan so that work can start this year. The Borough Administrator explained that the funding would not be available from the DEP until later in the year. However, the person she spoke to at the DEP said he would help the Borough obtain a bridge loan at the beginning of the year. Council President Puzzo stated we could get the plans started and have the plans prepared by the end of May. Council President Puzzo would like to obtain a bridge loan now to get the work started this year. The Borough Administrator stated that Mr. Farr from the DEP has told her that the DEP would authorize a bridge loan in January, with approval for the work in September of 2007. Mayor Cherchi inquired what was being considered repair or replacement? Councilman Raucci responded replacement of the sewer line and have it backfilled and do the paving later in the year. Council President Puzzo would like to look to another source for a bridge loan if the Borough is unable to obtain it from the DEP this year to try and start the work this year. Council President Puzzo would like to get the work started this year.
- g. **Downtown Manager** - The Borough Administrator reported that when the budget is adopted she will obtain quotes and move forward with the project.
- h. **Sick Time Benefit** – Council President Puzzo this will be reviewed by Personnel and Finance and evaluate this as each contract comes up for discussion.
- i. **Borough Hall Parking Lot** – Mayor Cherchi - with the improvements to intersection of Broad Avenue and Fort Lee Road, parking spaces will be eliminated in the interest of safety. Mayor Cherchi referred to an ordinance that was passed in 2000 that did away with 2 or 3 parking spaces. Mayor Cherchi would like to review the parking lot and return 2 or 3 spots with a limit in time to one hour. Councilman Hawkins reported that he was approached by a resident who thought the library parking lot was being used as a commuter lot. Councilman Hawkins stated he noted license plates in the morning and returned to the lot in the afternoon and the same cars were still in the lot. Councilman Hawkins stated he spoke to Officer Oxnard who said he will check the cars on Monday and mark the tires with chalk. Three summonses were issued today for cars that are there longer than three hours. On Friday there were eight parking spots that could have been used by shoppers. The Police Department has agreed to be vigilant with the Library parking lot. The parking should be enforced in the Library and in the Borough Hall lot. If someone is going to be anywhere for more than one hour they should be using the Borough Hall lot. Mayor Cherchi would like to have the

ordinance updated and the signage in the Borough Hall parking lot made clear.

- j. **Downtown Parking Issues** - Councilwoman Heveran noted that merchants are parking on Broad Avenue. Without the traffic officer there isn't anyone enforcing the parking along Broad Avenue. The Police Committee will take the subject up with Chief Ziegler.
- k. **Secrecy of Appointment** – Councilwoman Mitrani referred to a memo she disseminated at the end of the last meeting regarding the appointment of the Zoning Official. Councilwoman Mitrani felt that there was nothing on the agenda to allow the public the knowledge this was going to be discussed. The Resolution number was listed but noted it would be discussed in Closed Session. Closed Session did not note that the position was going to be filled and the public had no way of knowing what going to occur. Councilwoman Mitrani is concerned with the process. Borough Attorney Giblin noted that it was not illegal not to have it listed on the agenda. Frequently Councils will add something to the agenda at the last minute without informing the public and there is nothing illegal in doing so.
- l. **Conflict of Interest** – Councilwoman Mitrani feels it is a conflict of interest for two members of the Council having voted for the position instead of recusing themselves. Borough Attorney Giblin, regarding the conflict of interest, I have sent to the Department of Community Affairs with his consent one Councilperson, for their opinion regarding this issue. I will point out that even if those two Council people had not voted the same action would have occurred. You cannot go back and re-do it the action has been taken. Mayor Cherchi said it his understanding that with a conflict of interest it is up to the person if he feels it is a conflict of interest or not and he can vote or not. Borough Attorney Giblin agreed.

At this time it is 10:00PM Councilman Hawkins made a motion to extend the meeting until 10:30 seconded by Councilman Raucci. All in favor none opposed.

- m. **Tree for the Triangle** – Councilwoman Mitrani would like a decision regarding the tree. Councilwoman Mitrani would like to review the whole issue of the triangle including the clock at this time. After a discussion by the Governing Body they agreed to remove the tree and seek proposals for the design of the triangle.
- n. **Fence Ordinance Aesthetic Regulations** – Councilman Ryan would like Laws and Ordinances to review the current ordinance and include a section regarding the aesthetics of fences. Council President Puzzo requested the Borough Attorney to look into ordinances from other municipalities regarding fences. Mr. Giblin explained that if a permit is issued in error the person who has the permit does not gain any rights they Borough may be responsible for

some of the costs but the Borough can make them take it down. Mr. Giblin stated there is a separate standard for front yard fencing as opposed to side yard it lower in height of open 50% or more. Mr. Giblin also stated that unless the Borough's Ordinance says something different any part of the property that fronts on a street is the front yard a property could have three front yards. The Council asked Mr. Giblin to review the fence ordinance.

- o. **Merchants Recycling** – Councilwoman Mitrani asked for an update from the Borough Administrator. All the merchants have received the recycling information some tickets have been issued by the Police Department. We have a community service person going out everyday cleaning along Broad Avenue. The Borough Administrator also noted that the Recycling Coordinator has reported that the Borough and the Schools are doing very well with recycling.

NEW BUSINESS

- a. **Real Estate Citizens Advisory Committee** – Council President Puzzo like to establish a Citizens Advisory Committee to look around town and make recommendations to the Real Estate Committee. This would primarily focus on the commercial area of town. Councilman Hawkins spoke regarding residents in town who could assist the Borough.

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

Mr. Robert Pacicco – 530 Grandview Terrace – Mr. Pacicco brought to the attention of the Governing Body a van that has been in the Elm Street Lot since January. It has not moved and has a flat tire. Mr. Pacicco would like the process of permits being issued to commercial vehicles to park in the municipal lot. The van that has been there since January has commercial plates. There are several commercial vehicles parked in the lot for days. Parking does need to be evaluated on Broad Avenue. The time in the Borough Hall lot should be limited to one hour. Many employees of merchants are parking on Broad Avenue in front of the places they are employed and taking up valuable space for shoppers. Police presence on Broad Avenue should be part of the tour of the Police Officers. Mr. Pacicco stated he spoke to the Property Maintenance Officer regarding the parking lot of a bank whose lot borders the municipal lot. Mr. Pacicco stated residents use it a cut through to get to Fort Lee Road from the Municipal lot and dump garbage all the time. It got to the point where there were rodents. The Property Maintenance Officer issued an abatement notice. The bank brought in a crew and filled four large buckets of garbage.

228 **CLOSED SESSION (RESOLUTION F)**

229

230 A motion to go into closed was made by Council President Puzzo, seconded by
231 Councilwoman Heveran. All in favor none opposed.

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233 Councilwoman Heveran made a motion to adjourn, seconded by Councilman Hawkins.
234 All in favor; none opposed.

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236 As there was no further business before the Governing Body, the meeting was adjourned
237 at 10:40pm

238

239 Respectfully submitted,

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241

242

243 Fran Lehmann

244 Borough Clerk